

The connectivity of administrative acts in the legal state and the legal order

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In order to understand the legal order it is necessary to stop at legal sources, respectively sources of law which identify the main tools for the expression of the will of the relevant state bodies and the rules of conduct, legal norms of conduct, where we can divide legal acts in general acts and special acts. As a rule, the general acts are called sources of law and that in the formal and material sense.

The right in its broad meaning is a set of rules controlled by the authorities that have binding and legal force. The right of a country can be created in different ways. The different ways of creation lead to identifying different sources of law. Therefore: “A source of law is every element, fact or act despite the form, which provides a binding rule for the members of a certain society”. The mandatory rules are divided into formal rules or sources and informal rules or sources. Thus, we have written rules such as constitutions, laws, ordinances, court decisions, but we also have customary unwritten rules, based on need and derived from religious texts.

Most of legal systems have chosen the formal system of law sources: they predict expressly the ways of creating the right. Another important fact is the relationship between the sources. In every system, we face several sources of law.

The existence of some sources leads us into using an evaluation system between them. We use the hierarchical principle according to which the high sources prevail over the lowest ones. The clearest example can be given in the field of written sources: the constitution affects other sources of law, for example parliament laws, which must be adapted according to the constitution, but of course without changing it.

In practice, we can say that in all kinds of systems we can distinguish at least three levels of sources: constitutional acts; legal acts (issued by the Parliament) and regulations with implementing character (issued by the government). However, this is not the only division. Sources can also stand in equality reports: therefore, in the framework of international law, two or more constitutions that belong to two or more countries are in equal positions; in the framework of national law two or more local ordinances have equal positions.

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